

REMARKS

Claims 1-8, 12-24, and 26-33 remain in the application.

Claim Rejections

Rejections under 35 U.S.C. § 103

The claims currently pending in the application were all rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 3,394,257 to Moldenhauer in combination with various other references. Claims 1-4, 6-8, 12-13, 22-24, 26-29, and 31-33 were rejected as being unpatentable over Moldenhauer in view of U.S. Patent No. 1,697,607 to Maxson and U.S. Patent No. 1,514,628 to Pritzker. Claims 5 and 14-21 were rejected as being unpatentable over Moldenhauer in view of Maxson and Pritzker and further in view of U.S. Patent No. 5,438,233 to Boland et al. and U.S. Patent Application Publication No. 2002/0096492 to George et al. Claim 30 was rejected as being unpatentable over Moldenhauer in view of Maxson and Pritzker, and further in view of U.S. Patent No. 6,034,360 to Karlsson. Applicant traverses and requests withdrawal of those rejections for the following reasons.

Claim 1 recites “a base; a curved reflector extending along an axis and attached to the base; at least two pins passing through the base, within the reflector, and along the axis of the reflector; and a filament helically wound about the pins such that the pins are located between the filament and the axis of the reflector, the filament having a high emissivity outwardly facing surface and a low emissivity inwardly facing surface, wherein the outwardly facing surface is parallel to the axis, and opposing ends electrically connected to a respective one of the pins so that upon passage of electrical energy through the filament, the filament becomes electrically heated and emits infrared radiation, wherein the helically wound filament has a diameter that monotonically decreases along the axis and away from the base and a width of the filament is greater than a space between adjacent coils of the helically wound filament, and wherein the

helically wound filament forms at least two coils and at least one of the coils is offset from the axis.” [Emphasis added]

None of the cited prior art teach or suggest “a filament having a high emissivity outwardly facing surface and a low emissivity inwardly facing surface,” as defined in claim 1. Thus, one cannot combine the teachings of the cited references to obtain the invention of claim 1. Accordingly, there is no proper basis for the §103 objection.

Moreover, with respect to the Maxson reference, the examiner characterizes that reference (at page 3, lines 4-5, of the Action) as disclosing “a flat helically wound filament,” and states that it can be used to modify Moldenhauer, using that modification as a basis for the § 103 rejection. The examiner’s characterization of Maxson is not correct. Maxson does not disclose a helically wound filament, and accordingly, Maxson does not provide a proper basis for the §103 objection. For this reason, also, the rejection should be reconsidered and withdrawn.

In summary, for the above reason, there is no proper basis for the §103 rejection. Applicant, therefore, requests reconsideration and withdrawal of the rejection of claims 1-8, 12-24, and 26-33 under 35 U.S.C. § 103(a).

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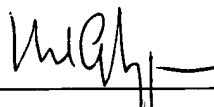
Conclusion

In view of the remarks submitted herein, applicant believes that claim 1, and claims 2-8, 12-24, and 26-33 are dependent thereon, all claims in the present application, are in condition for allowance, and respectfully requests a Notice of Allowance for the application. If a telephone conference will expedite prosecution of the application the Examiner is invited to telephone the undersigned.

The Commissioner is hereby authorized to charge the fee of \$510.00 for a Three-Month Extension of Time, and any fees that may be due, or credit any overpayment, to Deposit Account, No. 50-2678.

Respectfully submitted,
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